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L'ORÉAL USA, INC. and
MAYBELLINE, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AYANNA NOBLES, on behalf of herself
and others similarly situated,

Plaintiffs,

v.

L'ORÉAL USA, INC., a Delaware
corporation; MAYBELLINE, LLC, a New
York limited liability company dba
MAYBELLINE, NEW YORK,

Defendants.

Case No. 3:13-cv-01911-CRB
Hon. Charles R. Breyer

JOINT STIPULATION TO AMEND AND
TRANSFER, AND ORDER

JOINT STIPULATION TO AMEND AND TRANSFER AND ORDER
Case No. 3:13-cv-0911-CRB

1 WHEREAS, Plaintiff Ayanna Nobles and Defendants L'Oréal USA, Inc. and Maybelline,
2 LLC, a New York limited liability company d/b/a Maybelline, New York (collectively
3 "Defendants") are presently named parties in the above captioned litigation; and

4 WHEREAS, on August 22, 2013, the Court ordered the parties to show cause why this action
5 and the related action *Orshansky v. L'Oréal USA, Inc., et al.*, Case No. 3:12-cv-06342, should or
6 should not be transferred to the United States District Court for the Southern District of New York;

7 Now, therefore, Plaintiff Ayanna Nobles and Defendants, by and through their respective
8 counsel of record, hereby stipulate as follows:

9 1. By September 16, 2013, Plaintiff and counsel for Liat Orshansky, plaintiff in the related
10 action *Orshansky v. L'Oréal USA, Inc., et al.*, Case No. 3:12-cv-06342, will file an amended
11 complaint in this action, adding Ms. Orshansky as a plaintiff and omitting the currently-pleaded
12 claims respecting the mascara products, Maybelline's Volum'Express The Falsies and L'Oréal Paris'
13 Voluminous False Fiber Lashes, thus pleading claims only with respect to SuperStay 14HR Lipstick
14 and SuperStay 10 Stain Gloss. Following that amendment, pursuant to 28 U.S.C. s. 1404(a), all
15 parties consent to the transfer of this action to the United States District Court for the Southern
16 District of New York, where an earlier-filed matter pertaining to the same products, *Leebove v.*
17 *Maybelline, LLC*, No. 1:12-cv-07146 (S.D.N.Y.), is pending, and to which this action should be
18 considered related upon transfer to the Southern District of New York. Plaintiff agrees that she will
19 not oppose the consolidation of this action with the *Leebove* action once this action is transferred.

20 2. By September 16, 2013, Plaintiff and counsel for Liat Orshansky, shall file an amended
21 complaint in *Orshansky v. L'Oréal USA, Inc., et al.*, Case No. 3:12-cv-06342, adding Ms. Nobles as
22 a plaintiff and omitting the currently-pleaded claims respecting Maybelline's SuperStay 14HR
23 Lipstick and SuperStay 10 Stain Gloss, and thus pleading claims only with respect to the mascara
24 products described above. Defendants do not object to *Orshansky v. L'Oréal USA, Inc., et al.*, Case
25 No. 3:12-cv-06342, as so amended, remaining venued in this District before this Court subject to the
26 Court's discretion pursuant to 28 U.S.C. section 1404(a).

1 IT IS SO STIPULATED.

2 DATED: September 9, 2013.

3
4 THE TERRELL LAW GROUP

5 By: /s/ Reginald Von Terrell
Reginald Von Terrell

6 Attorneys for Plaintiff LIAT ORSHANSKY

7
8 FARELLA BRAUN & MARTEL LLP

9 By: /s/ C. Brandon Wisoff
C. Brandon Wisoff

10
11 DEBEVOISE & PLIMPTON LLP

12 By: /s/ Jeffrey S. Jacobson
Jeffrey S. Jacobson

13
14 PATTERSON BELKNAP WEBB & TYLER LLP

15 By: /s/ Frederick B. Warder, III
Frederick B. Warder, III

16 Attorneys for Defendants L'OREAL USA, INC. and
17 MAYBELLINE, LLC

18
19 PURSUANT TO STIPULATION, IT IS SO ORDERED

20 DATED: 9/10/2013

21
22 Hon. Charles R. Breyer
United States District Judge

